

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

In re EpiPen ERISA Litigation

Civil No. 17-cv-1884 (PAM/HB)

(This Document Applies to All Actions)

**ORDER ON STIPULATION
REGARDING STAY OF
PROCEEDINGS**

Pursuant to the parties' Stipulation Regarding Stay of Proceedings (ECF No. 971), entered into by the parties,

IT IS HEREBY ORDERED that the Stipulation (ECF No. 971) is **APPROVED** as follows:

1. Any and all case deadlines set forth in the Order on Fourth Stipulation to Amend Pretrial Scheduling Order (ECF No. 653), including any interim discovery and motions deadlines agreed to between the parties (*e.g.*, ECF No. 705), in this case are stayed pending a resolution of Plaintiffs' petition for permission to appeal the Court's August 5, 2020 class certification order (ECF No. 958) pursuant to Fed. R. Civ. P. 23(f), and, if the petition is granted, the attendant appeal. This stay will remain in effect until entry of an order amending the Pretrial Scheduling Order (ECF No. 314), as amended (ECF Nos. 379, 382, 387, 468, 653) and outlined below in Paragraphs 3 and 4. During the period this stay is in effect, discovery shall not be taken in connection with this matter, and the deadline to produce any outstanding productions will be stayed during this period.

2. All scheduled case management conferences (ECF No. 564) are hereby **CANCELED**.

3. Plaintiffs shall file a letter on **October 15, 2020**, and on the 15th of the month every other month thereafter, apprising the Court of the status of the Rule 23(f) petition and any Eighth Circuit appeal.

4. Within **fourteen (14) days** of the resolution of the Eighth Circuit appeal, or the resolution of the 23(f) petition if the petition is denied, the parties shall meet and confer regarding a proposed schedule for the case deadlines that have yet to be completed in light of the Eighth Circuit's resolution.

5. Within **twenty-one (21) days** of the resolution of the Eighth Circuit appeal, or the resolution of the 23(f) petition if the petition is denied, the parties shall submit a proposed amended scheduling order, suggesting amendments to deadlines currently in place as a result of the Order on Fourth Stipulation to Amend Pretrial Scheduling Order (ECF No. 653), which amended the Pretrial Scheduling Order (ECF No. 314), as amended (ECF Nos. 379, 382, 387, 468). If the parties cannot agree on a proposed amended scheduling order, each side shall submit a letter providing its respective proposed schedule and explaining its respective positions on any points of contention for consideration by the Court. In either event, that filing shall be made no later than 5 p.m. Central time on the filing deadline.

Dated: August 20, 2020

s/ Hildy Bowbeer
HILDY BOWBEER
United States Magistrate Judge